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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		A [*]	TTORNEY DOCKET NO.
08/876,937	06/16/97	WOODWARD		D	16955D1 ACOMC
ROBERT J BARAN ALLERGAN INC		HM31/0302	. ¬	EXAMINER O SULLIVAN, P	
. 2525 DUPON				ART UNIT	PAPER NUMBER
•				DATE MAILED:	03/02/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

. Office Action Summary

Application No. 08/876,937

Applicant(s)

Woodward et al.

Examiner

Peter O'Sullivan

Group Art Unit 1209

Responsive to communication(s) filed on	·
☐ This action is FINAL .	
Since this application is in condition for allowance except for for in accordance with the practice under Ex parte Quayle, 1935 (C.D. 11; 453 O.G. 213.
A shortened statutory period for response to this action is set to e is longer, from the mailing date of this communication. Failure to application to become abandoned. (35 U.S.C. § 133). Extensions 37 CFR 1.136(a).	respond within the period for response will cause the
Disposition of Claims	
	is/are pending in the application.
Of the above, claim(s)	is/are withdrawn from consideration
Claim(s)	
☐ Claim(s)	
☐ Claims	
Application Papers See the attached Notice of Draftsperson's Patent Drawing R The drawing(s) filed on	d to by the Examiner. isapproveddisapproved. Inder 35 U.S.C. § 119(a)-(d). Ithe priority documents have been Deer) International Bureau (PCT Rule 17.2(a)).
Attachment(s) Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-1449, Paper Notice of Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Review, PTO-948 Notice of Informal Patent Application, PTO-152	
SEE OFFICE ACTION ON TH	IE FOLLOWING PAGES

. Serial Number: 08/876,937

Art Unit: 1209

- 1. Claims 26-45 are pending in this application which should be reviewed for errors.
- 2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

- 3. Claims 26, 28-34 and 36-45 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicants' specification as filed discloses only R1 as H, lower alkyl, or a cation, not the newly added groups.
- 4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.
- 5. Claims 26-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Bishop et al. US '383.
- 6. Claims 26-45 of this application has been copied by the applicant from U.S. Patent No. 5,510,383. These claim is not patentable to the applicant because they are rejected under 35 U.S.C. 112, first paragraph and under 35 102 (e) above. An interference cannot be initiated since

Serial Number: 08/876,937

Art Unit: 1209

a prerequisite for interference under 37 CFR 1.606 is that claims be patentable to the applicant subject to a judgement in the interference.

- Claims 26-45 are rejected under 35 U.S.C. 135(b) as not being made prior to one year from 7. the date on which U.S. Patent No. 5,510,383 was granted.
- No claim is allowed.
- Any inquiry concerning this communication should be directed to Peter O'Sullivan at 9. telephone number (703) 308-4526.

GROUP 1200